

Report of the Crime Lab Working Group

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14 members

- Superior court judges
- District court judges
- Prosecutors
- Crime Lab
- NC Conference of District Attorneys
- Indigent Defense Services



Goal



- Administrative procedures to reduce lab backlog

Why?



Goal

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Schedule

- June 2014: Working Group formed
- Summer 2014: Work begins
- October 2014: Report produced

Report

- 17 recommendations

Report

- 17 recommendations



Report

- 17 recommendations
- Sample Memorandum of Agreement

NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR AND DISTRICT COURT DIVISION

**Memorandum of Agreement
To Establish Procedures Relating to Testimony
By State Crime Lab Analysts**

WHEREAS because of budget constraints and other issues the State Crime Lab (State Crime Lab) is experiencing a significant forensic testing backlog;

AND WHEREAS the backlog is exacerbated by the time State Crime Lab required to spend away from the State Crime Lab traveling to and from court, waiting for court testimony, and giving court testimony;

AND WHEREAS the backlog is exacerbated when resolved cases are not removed from the State Crime Lab's testing docket and by breakdowns in communication with the State Crime Lab regarding the need for analysts' presence in court;

AND WHEREAS the undersigned are of the opinion that there are administrative practices that will help to reduce State Crime Lab backlog.

THEREFORE the undersigned Senior Resident Superior Court Judge, Clerk of Court Judge and District Attorney for Judicial District _____ agree to support the practices set forth in the attachments to this memorandum.

Senior Resident Superior Court Judge

Recommendations



Recommendations

Better
communication



Recommendations

Better
communication

Courtroom
procedures



Recommendations

Better
communication

Courtroom
procedures

Administrative
changes



Recommendations

Better
communication

Recommendation 12:

When the DAs office has requested testing in a case that has been resolved, the prosecutor must, as soon as possible but within 5 days from the end of the appeal period, submit a stop work order in the Lab's FA System



Recommendations

Better
communication

Recommendation 13:

When a case for which a Lab analyst has been subpoenaed is resolved before trial or is continued, the prosecutor must release the analyst from subpoena through the Lab's FA System.



Recommendations

Courtroom
procedures

Recommendation 6:

When the district court judge will be holding criminal court for all or most of the week, the judge should consider recessing the case until later in the week if doing so will make efficient use of the expert's time.



Recommendations

Courtroom
procedures

Recommendation 10:

When an analyst appears for court, the judge should be immediately notified so that he/she can decide whether to exercise discretion to take the witness out of order.



Recommendations

Administrative
changes

Recommendation 14:

Every proposed testing order involving the State Crime Lab must be served on the Lab and the moving side must certify to the court that the Lab has no objection to the proposed order or if it does, that those objections are presented to the court.



Where are we?

- Report presented October 20, 2014
- Some judicial districts have adopted
- Others are close to doing so
- Still others are working on it

